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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/493,472	01/28/2000	James P. Mitchell	00CR063/KE	2281

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EXAMINER

LAMBRECHT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/493,472	MITCHELL, JAMES P.	
	Examiner	Art Unit	
	Christopher M. Lambrecht	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 and 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-34 and 36-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-7, 9-23, 25-34, and 36-38** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,810,527 to Conrad et al. (hereinafter "Conrad").

Regarding **claims 1, 12, 13, 17, and 31**, Conrad discloses a communication system (fig. 1) for a mobile platform [50, 53], the mobile platform being stationary at a docking area (gate, col. 5, ll. 14-18 and col. 9, ll. 50-55), the communication system comprising:

- a satellite receiver [208] (fig. 3) on the mobile platform [50, 53] (col. 8, ll. 61-67);
- a wireless docking area transceiver [203] (fig. 3) (col. 9, ll. 50-55);
- a wireless platform transceiver [228] (fig. 3) (col. 9, ll. 50-55);
- a wireless platform transceiver [228] on the mobile platform [50, 53] receiving order wire data (col. 6, ll. 30-41 and col. 7, ll. 5-14) and video data (col. 8, ll. 40-49); and
- a storage unit [220] (fig. 3), the storage unit being located on the mobile platform (col. 8, ll. 61-64), the wireless docking area transceiver [203] providing the video data and the order wire data (col. 7, ll. 5-14) to the wireless platform transceiver [228] while the mobile platform is at the docking area (col. 9,

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ll. 50-55), wherein the storage unit stores the video data for playback in the mobile platform and the storage unit storing the order wire data (col. 11, ll. 41-45), the order wire data controls a source of video playback of a program being either video data in the storage unit or the satellite receiver, or both the storage unit and the satellite receiver (col. 11, l. 64 - col. 12, l. 15).

As for claims 2, 9, 10, 11, 15, 18, 22, 25-27, and 32, Conrad discloses the communication system of claims 1, 13, 17, and 31, wherein the video data includes (and the order wire data schedules) Internet data (col. 9, ll. 39-46), safety message data, advertisement data, or entertainment data (col. 15, ll. 9-40).

As for claims 3, 6, 14, 19, 33, and 36, Conrad discloses the communication system of claims 1, 13, and 17, wherein the mobile platform is an airplane [50, 53].

As for claims 4, 20, and 34, Conrad discloses the communication system of claims 1, 17, and 31, wherein the wireless docking transceiver is a short-range transceiver (col. 5, ll. 32-38).

As for claim 5, Conrad discloses the communication system of claim 1, wherein the wireless platform transceiver is a radio frequency short range transceiver (microwave link, col. 5, ll. 32-38).

As for claims 7 and 23, Conrad discloses the communication system of claims 1 and 17, wherein the mobile platform is a boat (col. 17, ll. 43-54).

Regarding claims 16, 21, and 30, Conrad discloses the communication system of claims 13 and 17, wherein the wireless platform transceiver transmits mobile platform operational data to the wireless docking area transceiver (col. 10, ll. 25-33).

Regarding claim 28, Conrad discloses the communication system of claim 21, wherein the control information (col. 10, ll. 25-33) includes identity information (where TCP/IP communication protocol is employed, col. 10, ll. 10-20, communications between the mobile platform and the airport wireless link inherently comprise identity information).

Regarding claim 29, Conrad discloses the communication system of claim 28, wherein the control information (col. 10, ll. 25-33) includes destination information (where TCP/IP communication protocol is employed, col. 10, ll. 10-20, communications between the mobile platform and the airport wireless link inherently comprise destination, i.e., address information).

Regarding claim 37, Conrad discloses the communication system of claim 31, wherein the order wire data controls programs for the video associated with a destination of the platform (col. 4, ll. 43-49).

Regarding claim 38, Conrad discloses the communication system of claim 33, wherein the order wire data controls commercials for the platform (col. 15, ll. 31-44).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conrad.

Regarding claims 8 and 24, Conrad discloses a communication system and method according to claims 1 and 17, respectively, but fails to explicitly disclose the mobile platform is a road vehicle.

Official notice is taken of the fact that passenger entertainment systems embodied in road vehicles (i.e., buses), for the purpose of providing passengers with video entertainment and other interactive services.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the communication system and method of Conrad in a road vehicle, for the purpose of providing enhanced interactive entertainment services to the passengers.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence

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concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Typed or printed name of person signing this certificate:

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Lambrecht whose telephone number is (571) 272-7297. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M Lambrecht
Examiner
Art Unit 2611

CML


HA TRAN
PRIMARY EXAMINER